

80-8-A 200 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

1. I, EUGENE L. HUX, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3B1(1)(2,3) to permit sideyard setbacks of 35 feet on each side of lot instead of the required 50 feet.

2. I am petitioning for a Variance from the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
The owner of the lot has construction plans for a ranch home which is approximately ninety feet in length. The house is appropriate for the neighborhood, but too wide for the presently permitted building width on the lot. The ranch house cannot be situated on the lot in any other position. The variance would permit construction and eliminate the hardships caused by the setback requirements.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser: EUGENE L. HUX, Legal Owner
Address: 40 New Plant Ct., Owings Mills, Maryland 21117

Protestant's Attorney: John W. Hession, III
Address: 406 Jefferson Building, Towson, Maryland 21204, 828-7100

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of July, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of July, 1979, at 1:00 o'clock P.M.

William E. Hammond
Zoning Commissioner of Baltimore County.

(over)

7/11/79
1:00 P.M.

80-8-A
4-8-80

RE: PETITION FOR VARIANCES
SW/S of St. Paul Ave., 180'
NW of Sagamore Forest Lane
4th District

EUGENE L. HUX, Petitioner

Case No. 80-8-A

Ms. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 29th day of June, 1979, a copy of the foregoing Order was mailed to Robert J. Ryan, Esquire, 406 Jefferson Building, Towson, Maryland 21204, Attorney for Petitioner.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 13, 1979

Robert J. Ryan, Esquire
406 Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Variances
SW/S of St. Paul Avenue, 180' NW
of Sagamore Forest Lane - 4th
Election District
Eugene L. Hux - Petitioner
NO. 80-8-A (Item No. 200)

Dear Mr. Ryan:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: Ms. Patricia A. Lazelle
Reisterstown-Owings Mills-Glyndon
Coordinating Council
P. O. Box 117
Reisterstown, Maryland 21136

John W. Hession, III, Esquire
People's Counsel

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

March 19, 1979

Description to Accompany Petition
for Side Yard Variance
Lot 36 - SAGAMORE FOREST

BEGINNING for the same at a point on the south side of St. Paul Avenue at a distance of 180' northwesterly, more or less, from the intersection formed by the west side of Sagamore Forest Lane with the south side of St. Paul Avenue, said point being the division line between Lots #35 and #36 as shown on the plat of Section Five of Sagamore Forest and recorded among the Plat Records of Baltimore County in Liber E.H.K. Jr. 39, folio 142, running thence on the outline of Lot #36 as shown on said plat the four following courses and distances: (1) binding on the south side of St. Paul Avenue N 75°15' W 165.00' thence on the division line of Lots #36 and #37 (2) S 14°45'00" W 349.43' to the north side of Bond Avenue, thence binding on the north side of Bond Avenue (3) S 84°44'57" E 167.07', thence leaving the north side of Bond Avenue and binding on the division line between Lots #36 and #35, N 14°45'00" E 323.24' to the place of beginning. CONTAINING 1.274 acres of land, more or less. BEING Lot #36 Section Five of SAGAMORE FOREST and recorded among the Plat Records of Baltimore County in Liber E.H.K. Jr. 39, folio 142.



E. F. Raphael
E. F. Raphael
Registered Professional Land Surveyor

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner

Norman E. Gerber, Acting Director
Office of Planning and Zoning

DATE: July 2, 1979

SUBJECT: Petition #80-8-A, Item #200
Petition for Variance for side yard setbacks
Southwest side of St. Paul Avenue, 180 feet Northwest of Sagamore Forest Lane.
Petitioner - Eugene L. Hux

4th District

HEARING: Wednesday, July 11, 1979 (1:00 P.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, Acting Director
Office of Planning and Zoning

NEG:JGH:rw

Reisterstown - Owings Mills - Glyndon Coordinating Council

P.O. BOX 117
REISTERSTOWN, MARYLAND 21136
July 11, 1979

Mr. William Hammond
Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Hammond:

The R.O. G. Coordinating Council has been asked by Sagamore Forest Association to support their concerns about this variance to permit side yard setbacks of 35 ft. on each side of St. Paul Avenue, 180' Northwest of Sagamore Forest Lane.

Each lot according to this site plan (supplied by one resident) is approximately 1.1 acres. The lot in question is indicated as #35. Strict restrictions have been enforced by Moore Mathews as to color scheme, type of brick and type of home being situated on each lot. Sagamore Forest is distinguished because of its aesthetic balance of positive and quality planning. This variance, should be scrutinized so the character of this area may continue without detriment to it.

R.O.G. Council feels a need to emphasize also that on July 17, a variance hearing for the adjacent property is requesting a 30 ft. rear yard setback. These variances together could have an adverse affect. Justification and lack of knowledge as to the necessity and intent are also our concerns.

We ask that you evaluate all these concerns when making your decision.

Thank you,

Sincerely yours
Patricia A. Lazelle
Patricia A. Lazelle
Chairman, Planning & Zoning

Robert J. Ryan, Esquire
406 Jefferson Building
Towson, Maryland 21204

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 8th day of May 1979.

Eric Di Nenna
ERIC DI NENNA
Zoning Commissioner

Petitioner Eugene L. Hux
Petitioner's Attorney Ryan, Esq. Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Robert J. Ryan, Esquire
406 Jefferson Building
Towson, Maryland 21204

RE: Item No. 200
Petitioner - Eugene L. Hux
Variance Petition

Dear Mr. Ryan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on this filing certificate, will be forwarded to you in the near future.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURES
cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

OCT 01 1979

ORDER RECEIVED FOR FILING

DATE July 13, 1979
BY John L. Wimbley

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance(s) requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variances should be granted.

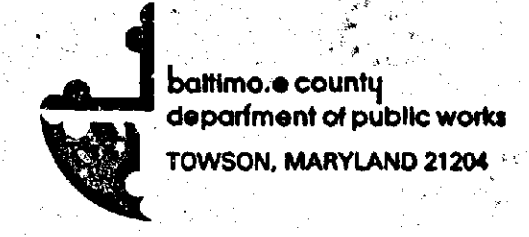
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of July, 1979, that the herein Petition for Variances to permit side and setbacks of 35' and 38' in lieu of the required 50' should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Eric DiNenna
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

May 8, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #200 (1978-1979)
Property Owner: Eugene L. Hux
S/W St. Paul Ave. 180' NW Sagamore Forest La.
Existing Zoning: RC 5
Proposed Zoning: Variance to permit side setbacks of 35' in lieu of the required 50'.
Acres: 1.274 District: 4th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement #47603, executed in conjunction with the development of "Sagamore Forest - Sections Three and Five", of which this property is Lot 36, Section Five, Sagamore Forest, recorded E.H.K., Jr. 39, Folio 142.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 200 (1978-1979).

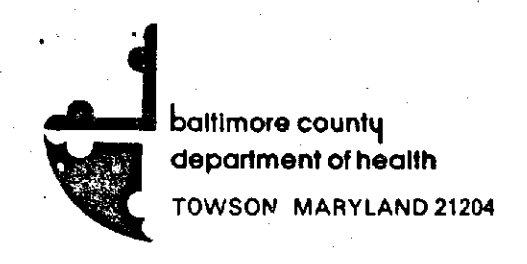
Very truly yours,

Ellsworth M. Diver
ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: H. Shalowitz

W-SW Key Sheet
63 NW 35 Pos. Sheet
NW 16 I Topo
49 Tax Map



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

May 1, 1979

Mr. S. Eric DiNenna
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #200, Zoning Advisory Committee Meeting of April 3, 1979, are as follows:

Property Owner: Eugene L. Hux
Location: SW/S St. Paul Ave. 180' NW Sagamore Forest La.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit side setbacks of 35' in lieu of the required 50'.
Acres: 1.274
District: 4th

Metropolitan water is available and a private sewage disposal system is proposed. The percolation tests for this lot, dated March 31, 1975, are no longer valid. Therefore, prior to application of a building permit, additional soil tests will be required.

Very truly yours,

Ian J. Forrester
Ian J. Forrester, Acting Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRP/fth



Paul H. Reincke
CHIEF

April 17, 1979

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Eugene L. Hux

Location: SW/S St. Paul Ave. 180' NW Sagamore Forest La.

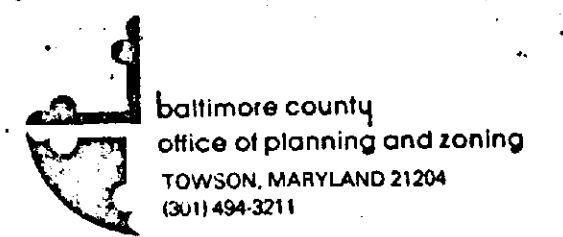
Item No. 200 Zoning Agenda Meeting of 4/3/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle load and condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Capt. Joseph Kelly 4/17/79 Noted and Approved: George M. McGehee
Planning Group Special Inspection Division Fire Prevention Bureau



LESLIE H. GRAEF
DIRECTOR

June 14, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #200, Zoning Advisory Committee Meeting, April 3, 1979, are as follows:

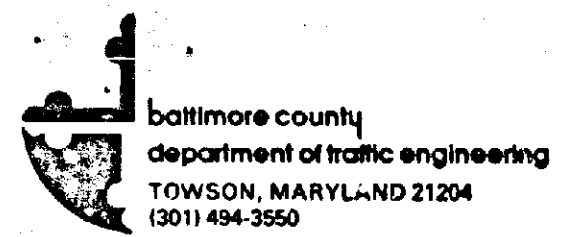
Property Owner: Eugene L. Hux
Location: SW/S St. Paul Ave. 180' NW Sagamore Forest Lane
Existing Zoning: RC-5
Proposed Zoning: Variance to permit side setback of 35' in lieu of the required 50'.
Acres: 1.274
District: 4th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

May 1, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 200 - ZAC - April 3, 1979
Property Owner: Eugene L. Hux
Location: SW/S St. Paul Ave. 180' NW Sagamore Forest La.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit side setbacks of 35' in lieu of the required 50'.
Acres: 1.274
District: 4th

Dear Mr. DiNenna:

The Department of Traffic Engineering has no comment on this item.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Engineer Associate II

MSF/hmd

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 5, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: April 3, 1979

RE: Item No: 199, 200, 201, 202, 203, 204
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above items have no bearing on student population.

Very truly yours,

N. Nick Petrovich
N. Nick Petrovich,
Field Representative

JOSEPH L. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. SOTLARI

THOMAS H. ROYER
MRS. LORNAINE D. CHURCH
ROGER H. MCGOWAN
ROBERT V. DUNEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.M.A.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: April 3, 1979
FROM: Ted Burnham
SUBJECT: Zoning Advisory Committee Meeting April 3, 1979

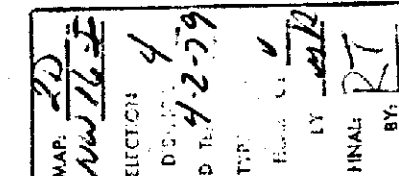
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| ITEM NO. 199 | See Comments |
| ITEM NO. 200 | No objections - Standard Comments |
| ITEM NO. 201 | See Comments |
| ITEM NO. 202 | See Comments |
| ITEM NO. 203 | No objections - Standard Comments |
| ITEM NO. 204 | See Comments |

Ted Burnham
Ted Burnham, Chief
Plans Review

TB:rrj

OCT 01 1979

1509



E. F. RAHEL & ASSOCIATES
Registered Professional Land Surveyors
201 Garland Avenue
Tomball, Maryland 21286

[illegible]

BY C. A. Purgee

PETITION FOR VARIANCE
9th DISTRICT

LOCATION: Petition for Variance
to be held at the following
ADDRESS: Southwest side of St.
Louis Avenue, Northwest
of Saguamores Forest Lane, 10th
County of Baltimore, Maryland, July
11, 1979 at 3:00 P.M.

HEARING: Room 106, County
Court Building, Baltimore, Md.,
Chesapeake Avenue, Towson, Md.

The Zoning Commissioner of Baltimore County, by authority of the Board of Zoning Appeals, Baltimore County, will hold a public hearing on the following:

Petition for Variance to permit
a change from the existing Zoning
on each side of the lot instead of the
lot frontage.

The Zoning Regulations to be ex-
cepted from are as follows: Section
Section 1404.3.1.3. (100.0- side yard
setback)

All that parcel of land in the
County of Baltimore County
Beginning at the intersection of
on the north side of St. Paul Avenue
and extending southward therefrom
a distance of 100.0 feet, more or less,
from the intersection of St. Paul
Avenue with Saguamores Forest Lane with
the intersection of Saguamores Forest
Lane with the intersection of St. Louis
Avenue, the division line is
shown on the plat of Section Five of
Baltimore County, Maryland, shown on
the plat of Section Five of Baltimore
County, Maryland, shown on the plat
of the Plat Records of Baltimore
County, Maryland, H. R. Jr., 38, folio
141, running thence north 89° 50' 00"
west 100.0 feet, shown on said plat
the following corner distances:

(1) binding on the south
side of Bond Avenue 79.19' and 45'
150.00 feet on the division line
of Bond Avenue and St. Louis Ave.
50° 00' 00" 100.00 feet to the north side
of Bond Avenue 79.19' and 45' 150.00
feet to the north side of Bond Avenue
79.19' and 45' 150.00 feet to the north
side of Bond Avenue and St. Louis
Avenue, the division line is shown
on the plat of Section Five of Baltimore
County, Maryland, shown on the plat
of the Plat Records of Baltimore
County, Maryland, H. R. Jr., 38, folio
141, running thence north 89° 50' 00"
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150.00 feet on the division line
of Bond Avenue and St. Louis Ave.
50° 00' 00" 100.00 feet to the north
side of Bond Avenue 79.19' and 45'
150.00 feet to the north side of Bond
Avenue 79.19' and 45' 150.00 feet to
the north side of Bond Avenue and
St. Louis Avenue, the division line
is shown on the plat of Section Five
of Baltimore County, Maryland, shown
on the plat of the Plat Records of
Baltimore County, Maryland, H. R. Jr.,
38, folio 141.

Witness my hand and the seal of
Baltimore County, Maryland, this 11th
day of June, 1979.

WILLIAM E. HAMMOND,
Commissioner of Baltimore County,
Baltimore County, Maryland.

Cost of Advertisement, \$-----

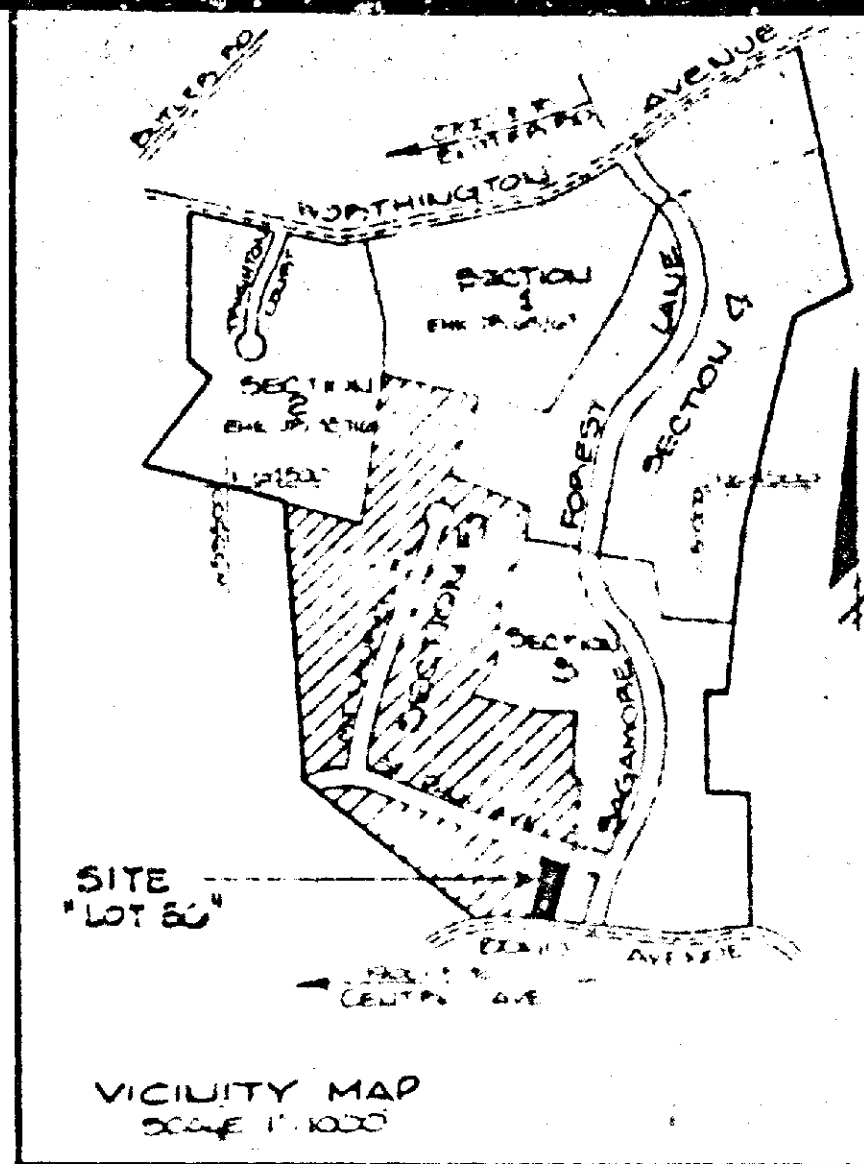
2-SIGNS

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

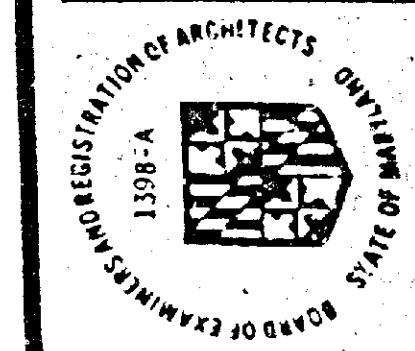
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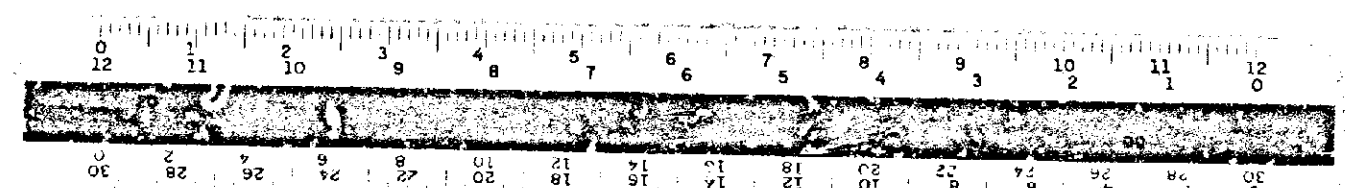
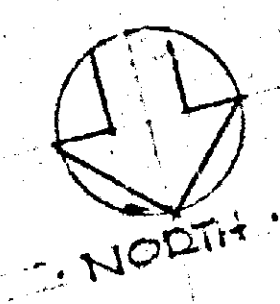
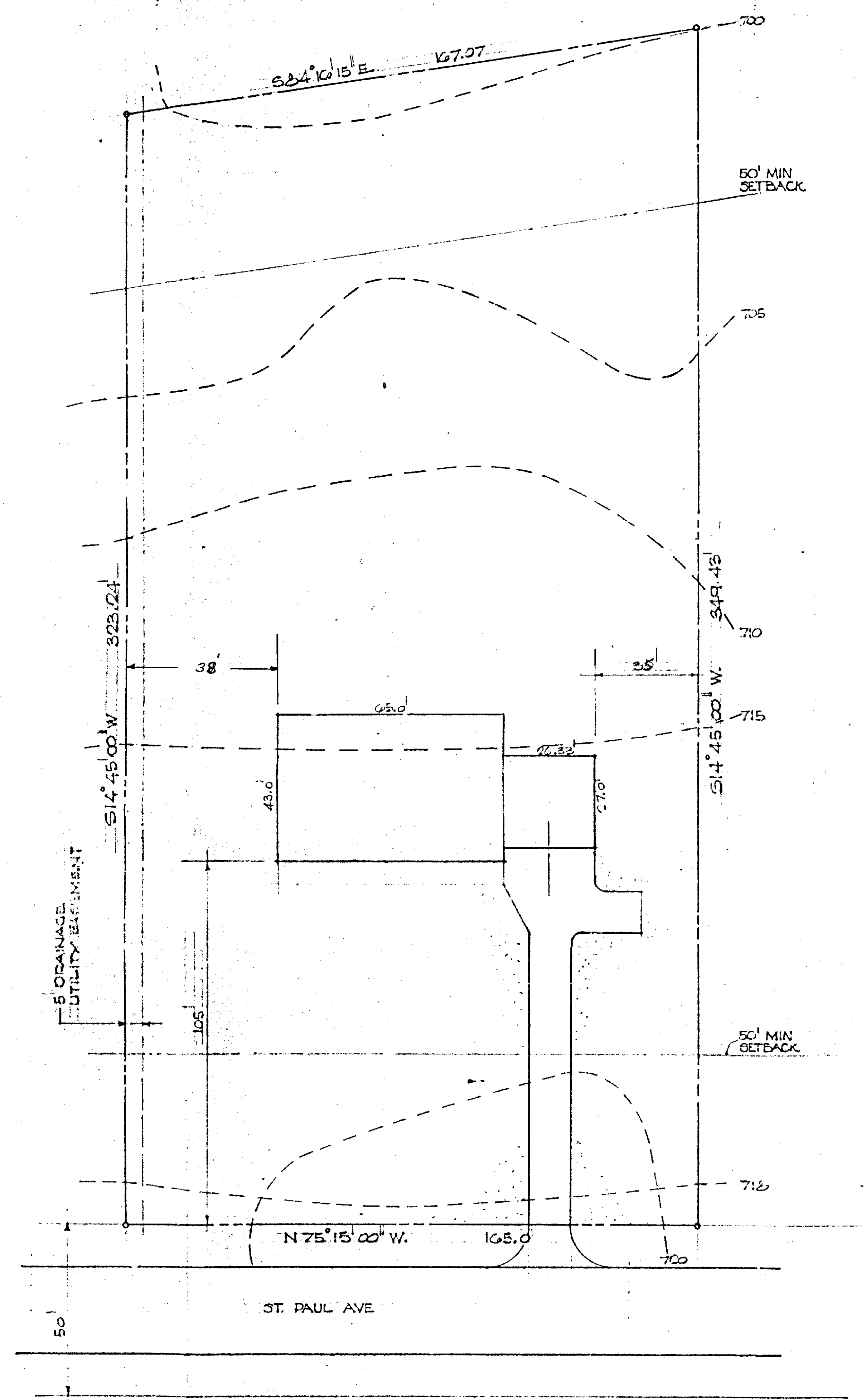
RESIDENCE FOR
MR. & MRS. EUGENE L. HUX
713 ST. PAUL AVE.
BALTIMORE COUNTY, MD



SITE PLAN

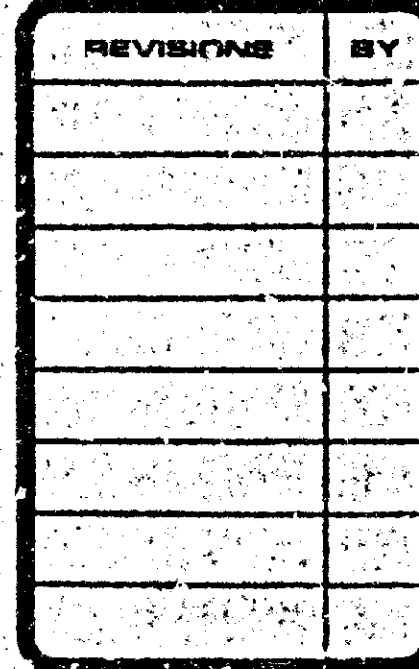
CALVIN KERN KOBBA, A.I.A. & ASSOCIATES, INC.
ARCHITECTS
111 W. MONUMENT STREET, BALTIMORE, MARYLAND 21201
301-837-2877

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| CHECKED |
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| OF SHEETS |

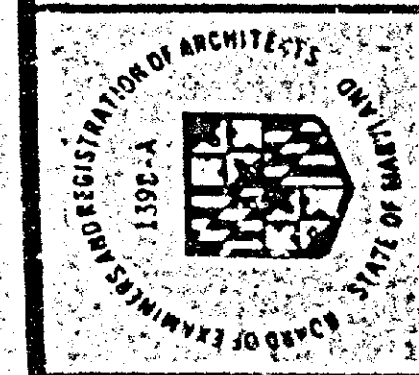




FIRST FLOOR PLAN



RESIDENCE FOR
MR & MRS. EUGENE L. HUX
713 ST. PAUL AVE.
BALTIMORE COUNTY, MD.




FIRST FLOOR PLAN

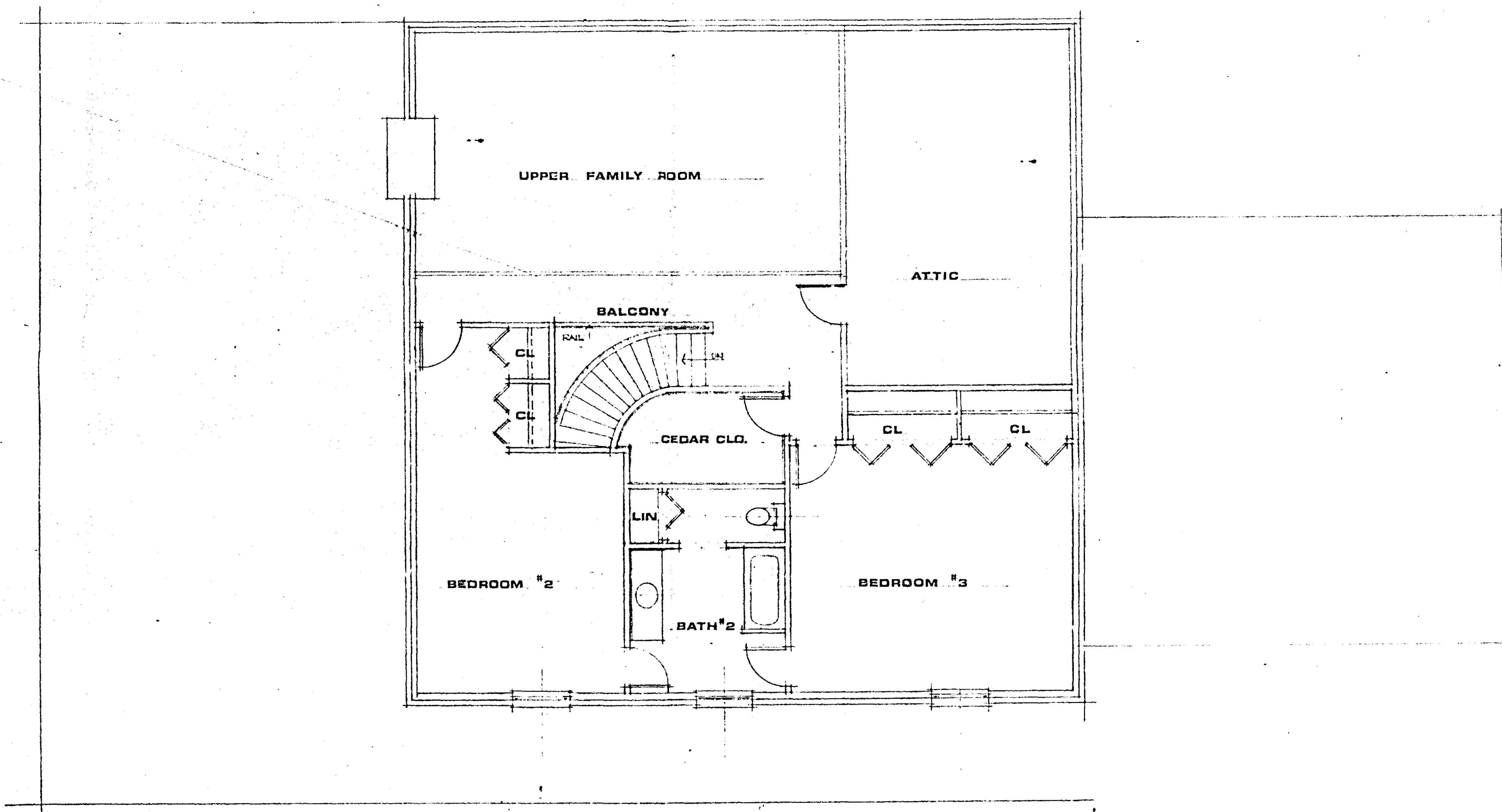
CALVIN KERN KOBSA, A.I.A. & ASSOCIATES, INC.
ARCHITECTS
1111 W. MONUMENT STREET, BALTIMORE, MARYLAND 21201
301-837-2277

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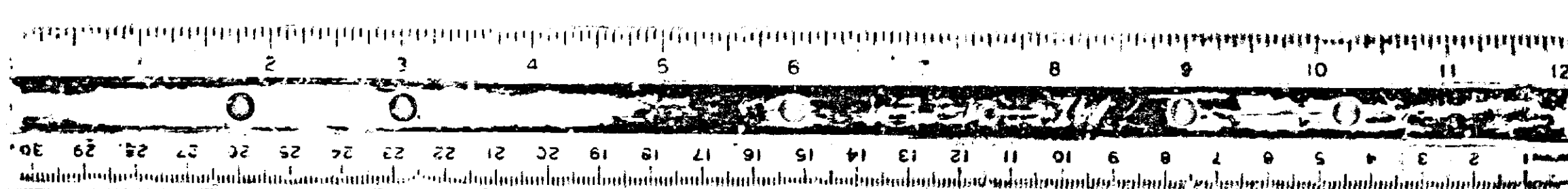
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CALVIN KERN KOBSA, A.I.A. & ASSOCIATES, INC.
 ARCHITECTS
 111 W. MONUMENT STREET, BALTIMORE, MARYLAND 21201
 301-837-2277



*Cal Kern
 Kobsa
 1/10/77*



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